

Exhibit 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE**

**DIVERSE MEDICAL
MANAGEMENT, INC.; AND AZZAM
MEDICAL SERVICES, LLC,**

Plaintiffs,

v.

**PLATINUM GROUP USA, INC.;
AMER RUSTOM; THE THIRD
FRIDAY TOTAL RETURN FUND, L.P.,
MICHAEL LEWITT, AMERICORE
HEALTH, LLC, GRANT WHITE,
JAMES B. BIDEN,**

Defendants.

**Case No: 19-CV-00046
JURY DEMAND**

DECLARATION OF MICHAEL S. FREY

I, Michael Frey, hereby declare as follows:

1. I am over 21 years of age and if called as a witness I could and would testify competently to the matters set forth in this declaration. I make this declaration based on my personal experiences and knowledge of the facts set forth herein.
2. I am the President and CEO of Diverse Medical Management, Inc. ("DMM")
3. DMM conducts business the in states of Tennessee, Texas, Kentucky, Alabama, and Pennsylvania.
4. In January 2018, Grant White is his capacity as President of Americore Health, LLC, ("Americore") asked me to travel to Pineville, Kentucky. The purpose of the meeting was to introduce me to the staff of the Pineville Community Hospital and to certain principals of

Americore. I was told to discuss the possibility of implementing the DMM model for treatment of substance abuse, senior care, and all outpatient programs.

5. I first met James Biden in the office of Alicia Slusher, who was the marketing director for the hospital. I shook his hand and introduced myself. He handed me a business card that is attached to the Amended Complaint in this action. We then proceeded to the conference room.

6. Attendees in the conference room included James Biden, Rick Tichenor (the-CEO of the hospital), Jason Boop (the then-Director of Nursing) and other Americore and Hospital personnel. I gave my presentation of the DMM model to the collective group. During my presentation regarding intensive outpatient treatment, James Biden interrupted me to say, "My brother needs to have you in every court system in America." I left the meeting very excited and optimistic about the future of DMM.

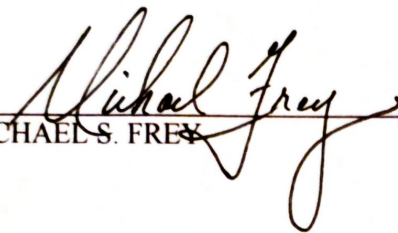
7. During the transition phase while awaiting investment, Michael Lewitt and James Biden agreed on multiple occasions to cover all overhead expenses of DMM as we acquired further business lines as instructed by Biden and Lewitt. As a result, DMM entered into a series of loan agreements with The Third Friday Fund, L.P. Before the execution of each loan agreement, Biden and Lewitt reassured me that these agreements were a mere formality that Lewitt needed for the integrity of The Third Friday Fund, L.P., and that these loan agreements would be repaid exclusively by the investment money that Biden and Lewitt promised was certain and imminent.

8. All of these agreements were executed in Warren County, Tennessee. Had I known the whole transaction was a fraud, I never would have agreed to a forum selection clause in Florida.

9. On March 28, 2019, I sent a text message to Michael Lewitt, James Biden, and Ameer Rustom in which I told them DMM would work with them until April 30, 2019, to settle the matter short of litigation, after which DMM would obtain counsel to take the next steps.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 21, 2019.


MICHAEL S. FREY